IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

WEDNESDAY, THE 5TH SEPTEMBER 2007 / 14TH BHADRA 1929

OP.No. 11038 of 2001(L)

PETITIONER:

M.A.NOOR MOHAMMED, MANSION HOUSE,
COURT ROAD, ALATHUR P.O.
PALGHAT DISTRICT.

BY ADV. SRI.S.RAMESH BABU
SRI.M.AJITH(ADV.COMMISSIONER)

RESPONDENTS:
---

1. STATE OF KERALA REPRESENTED BY ITS
CHIEF SECRETARY, SECRETARIAT, TRIVANDRUM.

2. DIVISIONAL FOREST OFFICER,
NEMMARA.

BY SPECIAL GOVERNMENT PLEADER MR.RENJITH THAMPAN

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 05/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L.Dattu,C.J. & K.T.Sankaran,J.

O.P.No.11038 of 2001-L

Dated, this the 5th day of September, 2007

JUDGMENT

H.L.Dattu,C.J.

Sri.S.Ramesh Babu, learned counsel appearing for the petitioner seeks leave of this Court to withdraw this Original Petition with liberty to file an appropriate application before the Tribunal constituted under the Kerala Forest (Vesting and Management of Ecologically Fragile Lands) Act, 2003.

(2) Taking note of the submission made by the learned counsel, permission sought for is granted and the Original Petition is disposed of as withdrawn.

(3) Liberty is reserved to the petitioner to question the inclusion of the lands belonging to the petitioner before the Tribunal by filing an appropriate application within forty five days from today. If such an application is filed within the time granted by this Court, the Tribunal shall consider the said application on its merits without reference to the period of limitation. All the contentions raised in the Original Petition are left open.

Ordered accordingly.

H.L.Dattu
Chief Justice

K.T.Sankaran
Judge

vku/-